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April 20, 1998

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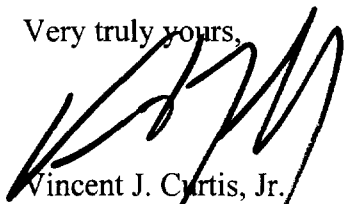
Re: MM Docket No. 87-268
Channel 3/Channel 8
Farmington/Gallup, New Mexico

Dear Ms. Salas:

Transmitted herewith, on behalf of KOB-TV, L.L.C., are an original and four copies of a Petition for Further Reconsideration with regard to the *Memorandum Opinion and Order on Reconsideration of the Sixth Report and Order*, FCC 98-24, released February 23, 1998, whereby Commission changed the community of allotment listed for Station KOFT(TV) (NTSC Channel 3/DTV Channel 8) from Gallup to Farmington, New Mexico.

Should any question arise concerning this matter, please communicate with the undersigned.

Very truly yours,



Vincent J. Curtis, Jr.
Counsel for KOB-TV, L.L.C.

Enclosures

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BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
Advanced Television Systems) MM Docket No. 87-268
and Their Impact upon the Existing)
Television Broadcast Service)

Directed to: The Commission

PETITION FOR FURTHER RECONSIDERATION

KOB-TV, L.L.C., licensee of KOB-TV, Albuquerque, and KOB(TV), Farmington ("KOB-TV"), both New Mexico, by its attorneys, hereby requests that the Commission reconsider its action in its *Memorandum Opinion and Order on Reconsideration of the Sixth Report and Order*, FCC 98-24, released February 23, 1998 ("*Order on Reconsideration*"), whereby in Appendix B the Commission changed the community of allotment listed for Station KOFT(TV) from Gallup to Farmington, New Mexico. With respect thereto, the following is stated:

Pulitzer Broadcasting Company ("Pulitzer"), the licensee of KOFT(TV), has been seeking for some time to have its currently authorized NTSC channel, Channel 3, reallocated from Gallup to Farmington, New Mexico. It instituted a rule making proceeding, MM Docket 92-81, RM-7875, seeking this reallocation. That rule making proceeding remains pending.¹

As the record reflects, on March 29, 1996, over two years ago, KOB-TV filed a Petition for Reconsideration in the Gallup/Farmington rule making proceeding. In that Petition for Reconsideration, KOB-TV raised serious questions of lack of good faith and an abuse of the

¹ While the Commission, on January 15, 1998, granted Pulitzer's application for modification of construction permit for KOFT(TV), File No. BMPCT-960408KF, the underlying rule making proceeding whereby the channel is to be reallocated to Farmington remains pending. On February 23, 1998, KOB-TV filed a Petition for Reconsideration of the grant of the modification application.

Commission's processes on the part of Pulitzer. By now listing both the NTSC and DTV channels for KOFT(TV) as being allotted to Farmington rather than Gallup, the Commission, in Appendix B to the *Order on Reconsideration*, the DTV Table of Allotments, appears to be pre-judging the issues still pending in the MM Docket No. 92-81 proceeding. Until there is a final order of the Commission reallocoting KOFT(TV)'s NTSC Channel 3 from Gallup to Farmington, the Commission's DTV Table of Allotments should continue to specify that both the NTSC and DTV channels currently are allotted to Gallup, not Farmington.

Respectfully submitted,

KOB-TV, L.L.C.

By: 

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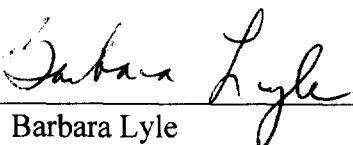
CERTIFICATE OF SERVICE

I, Barbara Lyle, a secretary in the law firm of Fletcher, Heald & Hildreth, P.L.C., do hereby certify that a copy of the foregoing "Petition for Further Reconsideration" was sent this 20th day of April, 1997, by first-class United States mail, postage prepaid to:

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